

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAHKEEM MILLER, et al.,

Plaintiffs,

21-cv-2616 (PKC) (JEW)

-against-

ORDER

CITY OF NEW YORK, et al.,

Defendants.

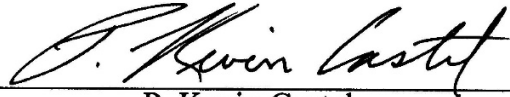
CASTEL, U.S.D.J.

To effectuate the intent of the parties, the Court has prepared a proposed stipulation and order (attached hereto) for the parties' review and possible approval. If agreeable, the parties should execute and return within seven days. The entry of this Order of Referral does not foreclose the possibility of future referrals of other matters.

The date of the fairness hearing remains as scheduled without prejudice to the Court keeping the record of the hearing open as necessary.

SO ORDERED.

Dated: New York, New York
December 7, 2023



P. Kevin Castel
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAHKEEM MILLER, et al.,

Plaintiffs,

21-cv-2616 (PKC)(JEW)

-against-

STIPULATION AND ORDER
OF REFERRAL TO
MAGISTRATE JUDGE

CITY OF NEW YORK, et al.,

Defendants.

CASTEL, U.S.D.J.

WHEREAS, the Court has conditionally certified the class, appointed Class Counsel, and preliminarily approved the Settlement (ECF 90 & 92);

WHEREAS, the parties have been advised by the Court that they are free to withhold consent to proceed before the Magistrate Judge without adverse substantive consequences;

WHEREAS, the parties have advised the Court that they wish to consent to have certain disputes decided in a final and binding manner by the Magistrate Judge designated for this action, the Honorable Jennifer E. Willis, U.S.M.J. (ECF 85-2 ¶¶ 134, 137);

WHEREAS, the parties are aware of their right to obtain judicial review of dispositive and non-dispositive rulings of a Magistrate Judge by the presiding District Judge and, at final judgment or other recognized junctures, to appeal such rulings to the United States Court of Appeals for the Second Circuit but wish to waive any and all such rights;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES AND ORDERED THAT

1. Any and all disputes by and between the parties, including class members, relating to membership of any person in the class and/or the classification of any person as a Contagious Disease Referral Person, or the amount of payment to be made to a particular member of the class, are referred to Magistrate Judge Willis for decisions and orders; and

2. The parties waive any and all rights to obtain judicial review of or to appeal any such decisions and orders of Magistrate Judge Willis to any Court or tribunal, including the district court and the United States Court of Appeals for the Second Circuit.

<p>For the Class Representatives:</p> <p>_____</p> <p>Eric Hecker John R. Cuti Alexander Goldenberg Daniel Mullkoff CUTI HECKER WANG LLP 305 Broadway, Sixth Floor New York, New York 10007 (212) 620-2600</p> <p>Alexander Reinert 55 Fifth Avenue, Room 1005 New York, NY 10003 (212) 790-0403</p>	<p>For the Defendants:</p> <p>HON. SYLVIA O. HINDS-RADIX Corporation Counsel of the City of New York <i>Attorney for Defendants</i></p> <p>By: _____</p> <p>Alan H. Scheiner Senior Counsel</p> <p>_____</p> <p>Carolyn Depoian Senior Counsel</p> <p>Special Federal Litigation Division NYC Law Department 100 Church Street, 3rd Floor New York, New York 10007</p>
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SO ORDERED.

Dated: New York, New York
December , 2023

P. Kevin Castel
United States District Judge